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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,639	02/28/2007	Michel Thiry	425.1018	4135
20311	7590	12/16/2009		
LUCAS & MERCANTI, LLP 475 PARK AVENUE SOUTH 15TH FLOOR NEW YORK, NY 10016				
EXAMINER				
OGUNBIYI, OLUWATOSIN A				
ART UNIT		PAPER NUMBER		
1645				
NOTIFICATION DATE		DELIVERY MODE		
12/16/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

info@lmiplaw.com

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/574,639	THIRY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	OLUWATOSIN OGUNBIYI	1645	

  

**All Participants:**

(1) OLUWATOSIN OGUNBIYI.

(2) Laurence Manber.

**Date of Interview:** 23 November 2009

**Type of Interview:**

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant    ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes    ☐ No

If Yes, provide a brief description: \_\_\_\_\_

**Part I.**

Rejection(s) discussed:

*enablement for claims 79, 81 and 82*

Claims discussed:

*13, 21, 79, 81, 82*

Prior art documents discussed:

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Oluwatosin Ogunbiyi/  
Examiner, Art Unit 1645

**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**Time:** \_\_\_\_\_

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Discussions were held with Mr. Manber regarding the enablement of claims 79,81 and 82 and it was communicated that the enablement rejection will be maintained. Possibility of resolving these issues by telephone was discussed but Mr. Manber indicated that he will still have to consult with Applicants. Other minor possible clarification of claims were discussed such as secretion of the polypeptide by the host cell into culture medium and that bacterin expresses protein. No agreement was reached.